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**FISCAL IMPACT STATEMENT**

**LS 7797**

**BILL NUMBER: SB 503**

**NOTE PREPARED:** Mar 31, 2003

**BILL AMENDED:** Mar 31, 2003

**SUBJECT:** Railroad Whistle Ordinances.

**FIRST AUTHOR:** Sen. Riegsecker

**FIRST SPONSOR:** Rep. Hasler

**BILL STATUS:** CR Adopted - 2<sup>nd</sup> House

**FUNDS AFFECTED:**    **GENERAL**  
                          **X DEDICATED**  
                          **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill authorizes the Department of Transportation (INDOT) to create pilot railroad crossing safety projects. It permits the procedure for adopting a local ordinance concerning the use of train whistles to apply to a rail corridor, instead of to a single railroad crossing. The bill requires the safety study required of INDOT after the ordinance is adopted to consider certain items. It authorizes INDOT to revoke its permission for regulating the use of train whistles after the ordinance is adopted.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:** (Revised) Creating pilot railroad crossing safety projects to improve railroad crossing safety will have an indeterminable impact and will depend upon the type and duration of the projects. The funds affected are the State Highway Fund and potentially federal and local funds.

The INDOT reports that they can complete the studies required within the 120-day time period. In addition, the new items listed for consideration by the INDOT in making determinations already are a part of the protocol followed by the INDOT.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) Creating pilot railroad crossing safety projects to improve railroad crossing safety will have an indeterminable impact and will depend upon the type and duration of the projects. The funds affected are the State Highway Fund and potentially federal and local funds.

The INDOT is responsible for grade crossing safety. Whistle bans increase the risk at crossings. According

to INDOT, allowing the crossings involved to be viewed as a corridor (a series of crossings through a city) allows potential cost savings to local units. The savings may be accomplished by the elimination of some crossings in the corridor. Crossing eliminations are a safety improvement. These improvements will counteract the elimination of whistles. This will vary by site and would require an engineering study to verify the safety of the remaining crossings. Local units may not incur additional costs for added protection at the remaining crossings because of the closures. The INDOT is following the Federal Railroad Administration (FRA) guidelines in this matter.

**State Agencies Affected:** Department of Transportation.

**Local Agencies Affected:** Those units with crossings in a rail corridor.

**Information Sources:** Mike Scime, Manager, Railroad Division, Department of Transportation, 232-1491; Larry Goode, Chief of Multi-Modal Division, Department of Transportation, 232-1495.

**Fiscal Analyst:** James P. Sperlik, 232-9866.